

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 09-0312 JB

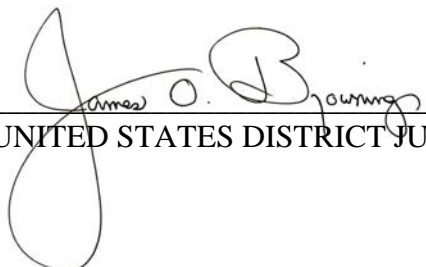
KALVEST GANADONEGRO,

Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the United States' Motion *In Limine* #1, filed August 17, 2011 (Doc. 135). The Court held a hearing on August 24, 2011. Plaintiff United States of America moves the Court to order Defendant Kalvest Ganadonegro, his counsel, and his witnesses to refrain, in the jury's presence, from asking any question, introducing any evidence, or making any statement or argument concerning an alibi defense or his potential sentence. At the hearing, Ganadonegro represented that he was not going to present any alibi evidence, witnesses, or defenses. He also agreed that he would not discuss or mention any potential sentences. For these reasons, and for the reasons stated on the record at the hearing, the Court will grant the United States' motion.

IT IS ORDERED that the United States' Motion *In Limine* #1, filed August 17, 2011 (Doc. 135), is granted. Defendant Kalvest Ganadonegro shall not present any alibi evidence, witnesses, or defense, and shall not discuss or mention any potential sentences.


UNITED STATES DISTRICT JUDGE

Counsel:

Kenneth J. Gonzales
United States Attorney
Presiliano Torrez
Jack Burkhead
Jennifer M. Rozzoni
Assistant United States Attorneys
Albuquerque, New Mexico

Attorneys for the Plaintiff

Kari Converse
Brian A. Pori
Assistant Federal Public Defenders
Albuquerque, New Mexico

Attorneys for the Defendant